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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuhiro Kudoh

Serial No.: 09/871,960

Group Art Unit: 2614

Filed: June 4, 2001

Examiner: Gerald Gauthier

For: MOBILE COMMUNICATIONS TERMINAL DEVICE AND METHOD FOR
IDENTIFYING INCOMING CALL FOR USE WITH THE SAME

Honorable Commissioner of Patents
Alexandria, VA 22313 - 1450

REQUEST FOR RECONSIDERATION

Sir:

This paper is in preparation for imminent appeal and in response to the Office Action dated June 14, 2006.

Claims 1-28 and 30-32 are all the claims presently pending in the application. Claims 1, 6, 9-10, 13, and 24 are independent.

Applicant notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Claims 1-18, 21-26, and 31-32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Henderson reference. Claims 19-20 and 27-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Henderson reference in view of the Muramatsu reference.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

A first exemplary embodiment of the claimed invention, as defined, for example, by independent claim 1, is directed to a mobile communications terminal device that includes storage means for registering beforehand a name of an originator, one of a telephone number and a mail address of the originator, a kind of an incoming identification tone at a time of a call incoming from the originator, and a character string input by a user corresponding to a voice information designating the originator, voice output means for ringing with the kind of the incoming identification tone corresponding to the originator at the time of the call

incoming, and control means for controlling the voice output means to output the voice information corresponding to the character string registered beforehand in the storage means in response to an instruction received from the user while the voice output means is ringing.

A second exemplary embodiment of the claimed invention, as defined, for example, by independent claim 13, is directed to a mobile communications terminal that includes a memory storing a character string input by a user for the calling party, the character string to be retrieved from the memory upon a receipt of a call from the calling party for outputting voice information and upon receipt of an instruction from a user during an incoming call.

Conventional mobile terminals have displayed a caller's data from a telephone directory when a call is received from that caller. However, a user of the mobile terminal cannot easily identify the caller if the display is not visible.

Other conventional mobile terminals output a tone that identifies a caller when a call is received from that caller. However, it is difficult for a user to accurately and easily identify a caller if a large number of caller and identifying tones are stored.

In stark contrast, the mobile terminal in accordance with an exemplary embodiment of the present invention outputs voice information based upon a character string that was stored before the call from the party by the user of the mobile terminal, which corresponds to a voice information designating the originator. In this manner, when an originator's information cannot be easily identified based upon the display, the user can obtain voice information that was input by the user, and for which, therefore, the user is more likely to recognize the caller. (Page 11, lines 4-20).

Additionally, since it is not necessarily beneficial to the user for the mobile terminal to be automatically output, since the originator's information may be undesireably heard in the surroundings, the present invention outputs the voice information in response to receipt of an instruction from a user during an incoming call. (Page 9, lines 1-17).

II. THE PRIOR ART REJECTIONS

The Examiner alleges that the Henderson reference teaches the invention of claims 1-18, 21-26, and 31-32 and that one of ordinary skill in the art would have been motivated to combine the teachings of the Muramatsu reference with the teachings of the Henderson reference to form the invention of claims 19-20 and 27-30. Applicant respectfully submits that the Henderson reference does not teach or suggest the features of the claimed invention

and that one of ordinary skill in the art would not have combined the disclosure of the Henderson reference with the Muramatsu reference to form the claimed invention.

None of the applied references teaches or suggests the features of the claimed invention, including: 1) a character string input by a user and corresponding to a voice information designating the originator of a call (claims 1 and 10); 2) outputting a voice information corresponding to a character string registered beforehand by a user, the character string corresponding to voice information designating the originator of a call (claims 6 and 9); 3) a memory storing a character string that was input by a user for the calling party to be retrieved for outputting voice information (claim 13); 4) outputting a voice signal that corresponds to a character string input by a user, let alone outputting a voice signal that corresponds to a character string input by a user if the character string corresponds to the caller and in response to an instruction from the user during an incoming call from the caller (claim 24). As explained above, these features are important for obtaining voice information by providing the instruction to the phone when an originator's information cannot be easily identified based upon the display and outputting the voice information that is easily recognizable by the user.

Rather, and in stark contrast, the Henderson reference discloses a method and apparatus for an improved call interrupt feature in a cordless telephone answering device where the device may provide a speech synthesized version of caller identification data to a cordless telephone after the called party presses the "talk" button. (Col. 6, lines 1-6, and col. 6, line 64 - col. 7, line 10).

In particular, the Henderson reference discloses that the caller identification data is received from the telephone line (Figure 1, col. 6, lines 1-6) and is completely different and unrelated to the character string that is input by a user in accordance with the invention.

Indeed, the Henderson reference only discloses that the caller identification data may be output by a speech synthesizer and does not teach or suggest outputting any data at all that may have been input by a user, let alone a character string input by a user.

The Henderson reference clearly does not teach or suggest a character string input by a user, let alone a memory storing a character string that was input by a user for the calling party to be retrieved for outputting voice information.

The Examiner cites column 7, lines 50-51 in an attempt to support the Examiner's allegation that the Henderson reference discloses a character string input by a user. However,

contrary to the Examiner's allegations, column 7, lines 50-51 does not support the Examiner's allegations.

Column 7, lines 50-51 of the Henderson reference merely discloses that "Switch 34 may be closed by controller 10 to allow stored caller identifying data to be announced to a called party when calling in for messages remotely from telephone line 3, as in U.S. Pat. No. 5,289,530."

As explained earlier, the caller identifying data that is referred to by column 7, lines 50-51 of the Henderson reference is received from the telephone line, not from the user.

Indeed, the Examiner has previously admitted that the Henderson reference "fails to show a character string input by a user." (see page 6, January 12, 2006, Office Action).

Further, not only does the Henderson reference fail to teach or suggest a character string input by a user, the Henderson reference fails to teach or suggest a character string input by a user and corresponding to a voice information designating the originator of a call and outputting a voice information corresponding to a character string registered beforehand by a user, the character string corresponding to voice information designating the originator of a call.

The Muramatsu reference does not remedy the deficiencies of the Henderson reference and the Heie reference.

Indeed, the Examiner does not allege that the Muramatsu reference teaches or suggests these features.

Further, Applicant submits that these references would not have been combined as alleged by the Examiner. Indeed, the references are directed to completely different and unrelated matters and problems.

In particular, the Henderson reference is directed to the problem of providing an improved call interrupt feature for a telephone answering device that permits the telephone answering device to reestablish control over the message handling function without depending upon an elapse of time or an off-hook condition (col. 2, lines 15-21).

In stark contrast, the Muramatsu reference is directed to the completely different and unrelated problem of identifying a caller using sound alone without reducing the number of available communication lines ([0011] - [0013]).

One of ordinary skill in the art who was concerned with the problem of providing an improved call interrupt feature for a telephone answering device that permits the telephone

answering device to reestablish control over the message handling function without depending upon an elapse of time or an off-hook condition, as the Henderson reference is concerned, would not have referred to the Muramatsu reference, and vice-versa, because the Muramatsu reference is directed to the completely different and unrelated problem of identifying a caller using sound alone without reducing the number of available communication lines. Thus, these references would not have been combined.

Therefore, the Examiner is yet again respectfully requested to withdraw these rejections of claims 1-28 and 30-32.

III. FORMAL MATTERS AND CONCLUSION


In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-28 and 30-32, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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